

# **Exhibit 14**

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**From:** Claudia Wilner

**Sent:** Friday, October 18, 2019 9:04 PM

**To:** Quinn,Robert E

**Cc:** Darius Charney ; Travis England

**Subject:** Follow-up on yesterday's meet and confer

Rob, this e-mail memorializes and follows up on our meet-and-confer yesterday afternoon.

#### Strike Force and Housing and Traffic Units

This portion of the conversation addressed the follow-up we have been seeking since June on your responses to Interrogatory 1, relating to membership (individuals and dates) in the Strike Force and the Housing Unit. It also covered Interrogatory 12, which seeks the same information as to the Traffic Unit.

As to Traffic, you acknowledged that your recent production of additional Transfer Orders was incomplete and said you would follow up early next week. We asked for production of the additional Orders by next Tuesday, Oct. 22, and we committed to compile that information in a fashion similar to Tables A and B as to the Strike Force and Housing Units to identify for you where additional follow-up is needed. You said that Tuesday might not be possible, but you would make the effort and come as close to hitting that mark as you could. Later on the call, we clarified that some of the missing Transfer Orders may be those relating to transfers of BPD officers to the Traffic Unit, as it appears that you have thus far only produced such orders relating to transfers from the Traffic Unit. You agreed to confirm that your clients have a correct understanding of this request as they search for additional responsive documents.

As to Strike Force and Housing, and as set forth in my e-mail of October 4 (see below and attached), we have made some progress, but we still have 45 open dates (for 38 individuals) that need filling in. You acknowledged that further efforts were necessary, you said you would take what “easy” steps you could, and you told us that you would let us know by next Friday, October 25, what you could do and when. To repeat what we said yesterday (which repeats what we have said in e-mails and our pending motion to compel), this is information to which we are entitled because it goes to the core of the allegations of the Complaint. If “easy” steps will not suffice, you must make more serious efforts, specifically including interviews of the individuals involved and, if necessary, reviewing documents such as archived unit rosters. It is more than a little distressing that, after all this time—and, specifically, in a scheduled meet-and-confer that took place 13 full days after our most recent follow-up—you would simply tell us to wait another 8 days for you to tell us what you will do. As we said during the conversation yesterday, such procrastination is unacceptable. We

expect to hear next Friday (a) that you will undertake whatever efforts are necessary to obtain and provide the missing information and (b) the details of your progress in those efforts. Absent a response that is satisfactory as to both content and timing, we will renew our motion to compel.

Defendants' Response to Plaintiffs' Third Set of Requests for Production

We also raised several questions regarding Defendants' Responses to Plaintiffs' Third Set of Requests for Production. We noted that Defendants have objected outright to Request No. 76, which seeks documents and communications between BPD and the US Department of Justice, including those pertaining to any grant applications and grant reports made by BPD. You questioned the relevance of this Request. We explained that not only have Plaintiffs brought a claim under Title VI, which requires proof that a Defendant receives federal funding, but we also believe these communications may contain materially relevant information such as statements regarding the manner in which BPD will or will not operate its Strike Force or Housing Units. You requested that we specify which "grants" or "reports" were being requested, but we explained that we are not able to do that without further information from you, which you continue to refuse to provide. You agreed to further consider Defendants' objections regarding this Request and let us know next week whether Defendants will modify their objection or search for and produce any responsive documents.

We also asked you to confirm the status of your search for responsive documents regarding Request Nos. 78-84, in which Defendants advise that they are "not aware of responsive documents at this time." You stated that you have not withheld any documents and that your search remains ongoing and that you expected to make another production within two weeks. We specifically asked whether you were searching electronic records (including emails) of BPD's crime analysts. You confirmed that you have not searched these emails. We therefore intend to update the Court that additional document requests will be the subject of our pending motion to compel.

Privilege Log

You stated that you will send Defendants' first privilege log on Tuesday, October 22.

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**From:** Claudia Wilner  
**Sent:** Friday, October 4, 2019 2:25 PM  
**To:** Quinn,Robert E  
**Cc:** Darius Charney ; Travis England ; Ed Krugman  
**Subject:** Follow up on Interrogatory 1

Rob,

We write to follow up on your answer to Interrogatory No. 1 and the Transfer Order productions you have made. There has been significant progress, but in many cases we still cannot say definitely when the officers you have identified as being in the Strike Force were there, and the same is true as to the officers you have identified as being in the Housing Unit.

From the materials you have given us, we have compiled the two tables in the annexed proposed stipulation of fact. As you will see, there are still 45 start or end dates that are missing. Most but not all of these are ending dates for officers' tenure in the Housing Unit.

With the information in the two tables, you are now in a position to make specific, individual inquiries as to each of the 45 missing entries. Quite frankly, it is beyond belief that this information is not knowable to the City

of Buffalo or its Police Department. Now that we have reduced the issue to a small number of specific dates, we request your confirmation that you will do whatever it takes to make the necessary specific inquiries and fill in the gaps. We would hope that you would then be prepared to enter into the stipulation of fact, but to complete your response to Interrogatory No. 1 you must make the inquiries and supply us the information regardless.

We look forward to receiving your confirmation that you will do what it takes to obtain these 45 specific dates from your client. Of course, if you disagree with any of the dates that are already presented, we would be glad to take corrections (with appropriate documentation).

Best,

Claudia



**Claudia Wilner**

Senior Attorney (pronouns she/her)

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NEW YORKBLACK LOVE RESISTS IN THE RUST, *et al.*

Plaintiffs,

-against-

CITY OF BUFFALO, *et al.*,

Defendants.

Case No. 1:18-cv-00719-CCR

**STIPULATION OF FACT REGARDING  
COMPOSITION OF HOUSING UNIT AND STRIKE FORCE**

Plaintiffs and Defendants hereby stipulate that the officers assigned to the Housing Unit of the Buffalo Police Department during the period January 1, 2010 to March 15, 2019 were as set forth in Table A below. Plaintiffs and Defendants further stipulate that the officers assigned to the Strike Force of the Buffalo Police Department during the period April 1, 2013 (date of creation) to March 12, 2018 (date of dissolution) were as set forth in Table B below.

If, at any time before the conclusion of discovery in this action, Plaintiffs or Defendants conclude that there is an error in Table A or Table B, the parties will confer in good faith to effect a correction, and either party may bring a dispute as to a correction to the Court for resolution.

**TABLE A (HOUSING UNIT)**

<b><u>Officer</u></b>	<b><u>Date From</u></b>	<b><u>Date To</u></b>
David Acosta	1/15/2010	2/28/2015
Joseph Acquino	7/28/2014	??
Michael Acquino	7/24/2010	3/31/2013
Bart Adams	6/9/2010	??

<b><u>Officer</u></b>	<b><u>Date From</u></b>	<b><u>Date To</u></b>
Shawn Adams	6/9/2010	??
Kenneth Agee	6/9/2010	??
Armonde Badger	3/12/2018	??
Elizabeth Baker	6/9/2010	11/12/2012
Adolphus Barkor	1/15/2010	??
Donna Benitez	6/9/2010	11/12/2012
Michael Bennett	6/9/2010	7/24/2010
Jonathan Bierl	1. 6/9/2010 2. 10/14/2014	1. 3/31/2013 2. 1/14/2019
Terrance Ciszek	7/10/2017	??
Joshua Craig	11/12/2012	4/29/2013
Ryan Crespo	1/15/2018	Current as of 9/15/2019
Patrick Crowley	1/1/2010	7/28/2014
Ann Devaney	1/15/2010	??
Jared Domaracki	7/24/2010	??
Donna Donovan	1/15/2010	??
John Evans	6/9/2010	11/12/2012
Christopher Fields	6/9/2010	7/24/2010
Jerry Guilian	11/12/2012	3/31/2013
Mark Hamilton	7/24/2010	3/31/2013
Joseph Hassett	1/10/2010	Current as of 9/15/2019
Sherry Holtz	1/15/2010	??
Latasha Howard	11/12/2012	3/31/2013
Patrick Humiston	6/9/2010	??
Richard Hy	3/12/2018	Current as of 9/15/2019
Robert Joyce	1/15/2010	??
Cory Krug	6/9/2010	6/9/2015
Edmond Labby Jr.	1/15/2010	??
John Lattanzio	6/9/2010	11/12/2012

<b><u>Officer</u></b>	<b><u>Date From</u></b>	<b><u>Date To</u></b>
Andre Lloyd	6/9/2010	7/24/2010
Richard Lopez	3/13/2018	7/30/2018
Joseph Lynch	3/20/2017	12/31/2018
William Macy	6/9/2010	??
Charles Miller	10/13/2014	Current as of 9/15/2019
Michael Norwood	7/10/2017	??
Thomas Nunan	1/15/2010	??
Joseph Paolucci	1/15/2010	6/30/2010
John Poisson	6/11/2012	3/31/2013
William Rezabek	6/9/2010	10/13/2014
Patrick Roberts	9/17/2012	6/29/2015
William Robinson	11/12/2012	Current as of 9/15/2019
Omar Rodriguez	??	Current as of 9/15/2019
Lance Russo	6/9/2010	Current as of 9/15/2019
Robert Salamone	??	3/31/2013
Philip Serafini, Sr.	6/9/2015	??
Jeanan Sharpe	1/15/2010	??
Kelvin Sharpe	6/9/2010	Current as of 9/15/2019
Anthony Shea	6/9/2010	??
Brian Strobele	1. 6/9/2010 2. ??	1. 3/31/2013 2. 3/19/2017
Justin Tedesco	??	Current as of 9/15/2019
Scott Testa	1/14/2019	Current as of 9/15/2019
Angelo Threats	1/15/2010	??
Anniel Vidal	1/13/2012	Current as of 9/15/2019

<b><u>Officer</u></b>	<b><u>Date From</u></b>	<b><u>Date To</u></b>
Andrew Whiteford	10/13/2014	Current as of 9/15/2019
Guy Zagara	6/9/2010	9/17/2012

**TABLE B (STRIKE FORCE)**

<b><u>Officer</u></b>	<b><u>Date From</u></b>	<b><u>Date To</u></b>
Michael Acquino	4/1/2013	3/12/2018
Jonathan Bierl	4/1/2013	10/13/2014
Daniel Burke	4/1/2013	5/23/2015
Joseph Chojnacki	4/1/2013	3/12/2018
Scott Culver	4/1/2013	3/12/2018
Robert Danner	4/1/2013	3/12/2018
Anthony Fanara	4/1/2013	??
Christopher Fields	4/1/2013	3/12/2018
Amy Frankel	4/1/2013	??
Jerry Guilian	4/1/2013	??
Mark Hamilton	4/1/2013	3/12/2018
Robert Heidinger	10/13/2014	4/13/2015
Latasha Howard	4/1/2013	12/18/2017
Richard Hy	10/13/2014	3/12/2018
Richard Lopez	4/1/2013	3/12/2018
Michael Martinez	4/1/2013	3/12/2018
Nathan Maryanski	??	??
Darren McDuffie	4/1/2013	3/12/2018
George McLean	4/1/2013	3/12/2018
Charles Miller	??	??
James O'Donnell	4/1/2013	??
Aaron Pariseau	4/1/2013	3/12/2018
David Piech	4/1/2013	3/12/2018



<b><u>Officer</u></b>	<b><u>Date From</u></b>	<b><u>Date To</u></b>
Bradford Pitts II	4/1/2013	3/12/2018
John Poisson	4/1/2013	??
Michael Quinn	4/1/2013	3/12/2018
Marcus Rogowski	??	??
Robert Salamone	4/1/2013	3/12/2018
Charles Skipper	4/1/2013	1/15/2018
Brian Strobele	3/20/2017	11/30/2017
Debra Strobele	??	3/12/2018
Justin Tedesco	??	??
Robbin Thomas	4/1/2013	??
Joseph Walters	4/1/2013	3/12/2018
Ivan Watkins	1/15/2018	3/12/2018
Thomas Whelan	4/1/2013	??
Adam Wigdorski	4/13/2015	3/12/2018
David Wilcox	4/1/2013	??
Thomas Zak	1. 4/1/2013 2. 12/18/2017	1. ?? 2. 3/12/2018
Sean Zoll	??	??

/s/Edward P. Krugman

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